

HOLD UNTIL RELEASED

BY THE COMMITTEE

Statement of

Dr. Get W. Moy

Director, Installations Resource Management

Office of the Deputy Under Secretary of Defense, Installations & Environment

John Jester

Chief, Pentagon Force Protection Agency

Before the U.S. House of Representatives

Committee on Government Reform

July 27, 2005

Mister Chairman and distinguished members of this Committee, we appreciate the opportunity to appear before you today to address the Department of Defense (DoD) anti-terrorism and force protection (AT/FP) standards for leased space.

Force protection has always been a high priority for the Department. After the Khobar Towers terrorist act in 1996, the Department put renewed emphasis on protecting its people from terrorist attacks. The current Minimum Antiterrorism Standards were initially issued as interim standards in December 1999, then revised extensively and issued as Unified Facilities Criteria (UFC) 4-010-01 in July 2002. The UFC was subsequently revised in October 2003, primarily for clarifications. The interim standards were applicable only to new military construction projects; applicability to leased facilities was added to the 2002 UFC edition.

In comparison, the Interagency Security Committee (ISC) initially issued security guidelines for federally owned buildings in May 2001. These were based on recommendations following the bombing of the Alfred P. Murrah Federal Building in Oklahoma City. Guidelines for application to leased buildings were finalized and approved in February 2005.

As established by Executive Order (EO) 12977, the ISC addresses the security and protection of buildings and facilities in the United States occupied by Federal employees for non-military activities. The ISC guidelines cover many types of threats, including simple criminal activity; as well as a full range of security measures: building improvements, screening

equipment, identification cards, etc. The scope of UFC 4-010-01, however, is specifically for threats as they impact building design and construction.

With respect to development of ISC's security standards for leased space, DoD did participate from both a design and construction standpoint as well as a security standpoint. For many of the areas where the UFC and the ISC guidelines overlap, we were able to achieve consistency, but one difference is in the area of standoff and blast mitigation. The Department has determined that vehicle-borne explosives are a significant threat and must be addressed in any security plan. Standoff and blast mitigation requirements are derived from building type, location, threat assessment, occupancy, proximity to other buildings, etc. Therefore each instance would have an entirely different standoff and blast mitigation requirement. ISC guidelines permit agencies to identify and increase the level of security requirements unique to that agency.

When DoD issued its minimum standards in 2002, ISC had no security requirements for leased space. Employing a risk-based assessment, the Department considers UFC 4-010-01 appropriate as the basic security requirement for leased buildings. DoD believes that personnel occupying leased buildings deserve the same level of protection as those in DoD-owned buildings. Implementation of these standards is therefore mandatory for all facilities leased for DoD use and for those buildings in which DoD receives a space assignment from another government agency except as established below. This requirement is intended to cover all situations, including General Services Administration space, privatized buildings, and host-nation and other foreign government buildings. These standards only apply where eleven or

more DoD personnel occupy at least 25 percent of the net interior useable area of the entire facility and then only to the area of the building that is occupied by DoD personnel. If these conditions exist, then implementation timeline is as follows:

1. New leases starting in Fiscal Year 2006 – any new lease entered into after September 30, 2005.
2. Renewal of existing leases starting in Fiscal Year 2010 – a current lease that is renewed after September 30, 2009. Leases in effect as of September 30, 2009, can remain in effect until they expire.

The implementation of DoD Anti-terrorism standards is particularly difficult for existing buildings if the buildings are currently occupied. Unless the required standoff distances are met, most commercially marketed buildings would require expensive and invasive retrofits to the building structure and envelope to meet or mitigate blast resistant requirements. Construction of new buildings provides an opportunity for the structural requirements to be incorporated. A developer must still assess the financial risks associated with developing a property speculatively at the increased costs associated with these improvements. If a DoD tenant cannot be attracted to these facilities through a successful solicitation response the additional investment could dramatically affect the profitability of the overall project. While the challenges are many, there are developers approaching DoD with projects that can meet or substantially meet these standards.

In closing, Mister Chairman, we sincerely thank you for this opportunity to address the Department of Defense (DoD) anti-terrorism and force protection (AT/FP) standards for leased space. Force Protection is an important issue for everyone at all times. EO 12977 recognized the need to establish security and protection requirements in buildings and facilities occupied by Federal employees for non-military activities. We have and will continue to consult extensively with the ISC and our private sector partners to look for ways to improve our risk-based analyses, mission assessment, enhance capabilities, and protect our people.